**FILED**

SEP 13 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG - 2 2006

FILED
CLERK'S OFFICE

DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

MDL-1596 -- IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION
MDL-1769 -- IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

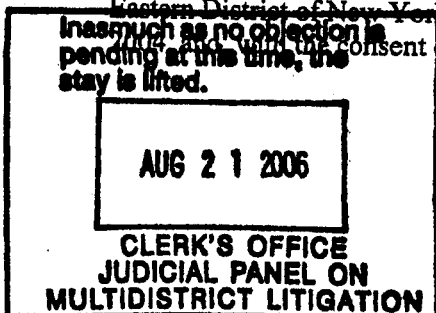
**MDL-1596 CONDITIONAL TRANSFER ORDER (CTO-61)
WITH SEPARATION, REMAND AND
MDL-1769 CONDITIONAL TRANSFER ORDER (CTO-3)**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings in MDL-1596 pursuant to 28 U.S.C. § 1407. *See* 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,147 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

On July 6, 2006, the Panel transferred 92 civil actions to the United States District Court for the Middle District of Florida for coordinated or consolidated pretrial proceedings in MDL-1769 pursuant to 28 U.S.C. § 1407. *See* ____ F.Supp.2d ____ (J.P.M.L. 2006). Since that time, 15 additional actions have been transferred to the Middle District of Florida. With the consent of that court, all such actions have been assigned to the Honorable Anne C. Conway.

It appears that the actions on this conditional transfer order involve questions of fact that are common to: 1) the actions in MDL-1596 previously transferred to the Eastern District of New York and assigned to Judge Weinstein; and 2) the actions in MDL-1769 previously transferred to the Middle District of Florida and assigned to Judge Conway. Each of these actions comprises two sets of claims, as follows: 1) claims relating to the prescription drug Zyprexa, which involve common questions of fact with the previously transferred MDL-1596 actions; and 2) claims relating to the prescription drug Seroquel, which involve common questions of fact with the previously transferred MDL-1769 actions.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the MDL-1596 transfer order of April 14, 1999, *inasmuch as no objection is pending at this time, the stay is lifted.*



I certify the foregoing to be a true
and correct copy of the original.

SHERYLL LOESCH, Clerk
United States District Court
Middle District of Florida

By: 
Deputy Clerk

CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

FILED

Date

Time

August 25, 2006 11:32 AM

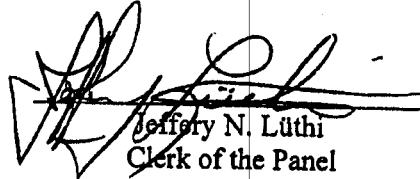
-2-

The claims in each action relating to Seroquel are hereby separated and remanded, under 28 U.S.C. § 1407(a), to their respective transferor courts.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), the resulting Seroquel actions are transferred under 28 U.S.C. § 1407 to the Middle District of Florida for the reasons stated in the MDL-1769 transfer order of July 6, 2006, and, with the consent of that court, assigned to the Honorable Anne C. Conway.

This order does not become effective until it is filed in the offices of i) the Clerk of the United States District Court for the Eastern District of New York, and ii) the Clerk of the United States District Court for the Middle District of Florida. The transmittal of this order to said Clerks shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

SCHEDULE CTO-61 - TAG-ALONG ACTIONS
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

SCHEDULE CTO-3 - TAG-ALONG ACTIONS
DOCKET NO. 1769
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

DIST. DIV. C.A.#**CASE CAPTION****CALIFORNIA NORTHERN**

CAN 3 06-662	Wendell Collum v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-676	Scott Polis v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1283	Daniel Cannon v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1289	Katherine Morris v. AstraZeneca Pharmaceuticals, LP, et al.	Vacated 8/16/06
CAN 3 06-1290	Herbert Price v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-1305	Jennifer R. Ruscsak v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1311	Margaret A. Shearman v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1314	Charles A. McCool v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-1315	Frank R. Niemann v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1322	Elaine Cotton v. AstraZeneca Pharmaceuticals, LP, et al.	Vacated 8/11/06
CAN 3 06-1323	Rita A. Kurilla v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1326	Rose M. Ashburn v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-1394	Jennifer J. Naramore v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1403	Lisa A. Birkner v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1449	Jimmy Marsiglia, et al. v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1454	Hellen J. Thomas v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1483	Dianne M. Theodorou v. AstraZeneca Pharmaceuticals, LP, et al.	See Separate Order dated 8/21/06
CAN 3 06-1485	Bridgette R. Jones v. AstraZeneca Pharmaceuticals, LP, et al.	See Separate Order dated 8/21/06
CAN 3 06-1492	Donnell L. Lawshea v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1500	Jacqueline E. Gaiman v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1529	Vicky Reynolds, et al. v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1531	Jim Coppola v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1555	Lurae Eades v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1564	Nadine L. Copeland v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1763	Thomas S. Fromosky, Jr. v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1817	John C. Thigpen v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-1855	Oggie Y. Williams v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 3 06-1857	Denise L. Outlaw v. AstraZeneca Pharmaceuticals, LP, et al.	See Separate Order dated 8/21/06
CAN 3 06-1932	Markus L. Tucker v. AstraZeneca Pharmaceuticals, LP, et al.	Vacated 8/8/06
CAN 3 06-2282	Dimitrios Oliver v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 3 06-2284	Anna Fall v. AstraZeneca Pharmaceuticals, LP, et al.	Vacated 8/8/06
CAN 4 06-1285	Clayton L. Plummer v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 4 06-1316	Shirley Keith v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 4 06-1318	Joseph Hernandez v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 4 06-1335	Sheryl A. Franklin v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 4 06-1341	Dorothy L. Cameron, et al. v. AstraZeneca Pharmaceuticals, LP, et al.	Opposed 8/21/06
CAN 4 06-1436	Denise Sims v. AstraZeneca Pharmaceuticals, LP, et al.	
CAN 4 06-1557	Tony L. Compalco v. AstraZeneca Pharmaceuticals, LP, et al.	Vacated 8/15/06

MISSOURI EASTERN

MOE 4 06-506	Evelyn Hair v. Eli Lilly & Co., Inc., et al.
MOE 4 06-907	Michael Middleton v. Eli Lilly & Co., et al.

MISSOURI WESTERN

MOW 2 06-4072	Donald Vaughan v. Eli Lilly & Co., et al.
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TEXAS EASTERN

TXE 5 06-43	Larry Lambright, etc. v. Eli Lilly & Co., et al.
TXE 5 06-104	Carol Harris, etc. v. Eli Lilly & Co., et al. See Separate Order dated 8/21/06

INVOLVED COUNSEL LIST (CTO-61)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1769
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

INVOLVED JUDGES LIST (CTO-3)
DOCKET NO. 1769
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

INVOLVED CLERKS LIST (CTO-3)
DOCKET NO. 1769
IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION

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JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 21 2006

FILED
CLERK'S OFFICE

DOCKET NOS. 1596 AND 1769

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**MDL-1596 – IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION
MDL-1769 – IN RE SEROQUEL PRODUCTS LIABILITY LITIGATION**

Dianne M. Theodorou v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California,
C.A. No. 3:06-1483

Denise L. Outlaw v. AstraZeneca Pharmaceuticals, LP, et al., N.D. California,
C.A. No. 3:06-1857

**ORDER VACATING CTO-3 IN MDL-1769 AND
LIFTING STAY OF CTO-61 IN MDL-1596**

On August 2, 2006, the Panel filed an order conditionally i) transferring these two actions (*Theodorou* and *Outlaw*) to the Eastern District of New York in MDL-1596, ii) separating the Seroquel claims and remanding them to the Northern District of California, and iii) transferring the resulting Seroquel actions to the Middle District of Florida in MDL-1769. In the absence of any opposition, this order is now ripe for finalization. The Panel, however, has been advised that the Seroquel claims in *Theodorou* and *Outlaw* were dismissed in the Northern District of California by the Honorable Jeffery S. White in separate orders filed on July 18, and July 19, 2006, respectively. Accordingly, *Theodorou* and *Outlaw* in their present posture are appropriate for transfer in their entirety to the Eastern District of New York for inclusion in MDL-1596.

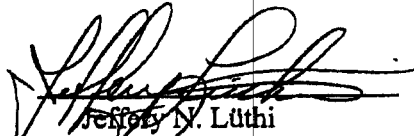
IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-3" in MDL-1769 (with prior separation and remand of Seroquel claims), filed on August 2, 2006, is VACATED insofar as it relates to these actions.

IT IS FURTHER ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-61" in MDL-1596 is LIFTED insofar as it relates to these actions, and thus the actions are transferred in their entirety to the Eastern District of New York for inclusion in

- 2 -

the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Jack B. Weinstein.

FOR THE PANEL:



Jeffrey N. Lüthi
Clerk of the Panel